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DEPARTMENT OF PERMITTING SERVICES
MONTGOMERY COUNTY

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IGCC PUBLIC WORK SESSION :
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A meeting in the above-entitled matter was held on
Wednesday, June 11, 2014, commencing at 2:07 p.m., in the
County Office Building, 100 Maryland Avenue, First Floor
Auditorium, Rockville, Maryland 20850, before:

MARK NAUMAN

INDEX

<u>STATEMENT OF:</u>	<u>PAGE</u>
Christiane Graham	5
Ralph Bennett	9
Rich Lohmeyer	13
Eileen Emmet	14
Karen Anderson	15

P R O C E E D I N G S

1
2 MR. NAUMAN: My name's Mark Nauman with Montgomery
3 County Department of Permitting Services. I want to welcome
4 all of you to our third public session, as we move forward
5 with the adoption of the International Green Construction
6 Code.

7 We've had some comments which people are finding
8 difficult to be able to move forward this and provide
9 comments, inasmuch as the code is not readily available.

10 And, due to copyright laws, we can't publish the code.

11 We're able to publish our proposals, our comments, that kind
12 of stuff, but as far as the entirety of the code, we're not
13 able to publish that.

14 We are trying to work on a resolution to this and,
15 currently, right now, I've got some books on order that we
16 can make available for use, would prefer, in our office.
17 Because we're not really a seller of code books, but we may
18 also have a loaner system set up similar to what the public
19 libraries are doing. But, as soon as the books come in, or
20 if we come up with an electronic version, I'm going to be
21 contacting the ICC and see if we can make an electronic
22 version available for the next six months or so, something
23 along those lines. Reggie will have that posted on our
24 website, so as we move forward, keep an eye on this or, like
25 I said, as soon as the books come in we'll have that on our

1 website as well, and you'd be able to come in during regular
2 business hours and look through the code. It will include
3 both the IGCC and ASHRAE 189 as an entire book.

4 I'm also ordering copies of the National Green
5 Building Standard, the ICC 700. So that will be available
6 as well for perusal. Once again, this is our third public
7 session. This one is to cover Chapter 6, which focuses on
8 energy. As I've stated previously, the purpose of this is
9 sort of a provocative engagement. We have made proposals,
10 which are just baseline proposals, these are draft proposal
11 to the code, as we move forward. This is a lengthy and
12 complicated process. We are going to be having other public
13 sessions and hearings as we move forward to October 1st,
14 which is our anticipated date to be able to make a finalized
15 version of this presentable to our legislature.

16 So, any and all comments are welcome. Input,
17 comments, comments upon the proposals that we've made. Once
18 again, they are being posted online. All of these sessions
19 are being transcribed. For accuracy, these transcriptions
20 will also be posted online. And, I'm compiling comments.
21 We've received comments over the last year from various
22 agencies and groups. Some of them are very lengthy
23 documents. And so, I'm in the process of trying to
24 summarize and compile all of these into a metric that, once
25 it's completed, all of the comments that have been presented

1 to DPS and/or myself, we will be making that available
2 online as well. But, like I said, from week to week, the
3 transcripts of these meetings will be made available.

4 So, today we have, it looks like three people that
5 are scheduled to speak. We're not limited to just these
6 three people. Like I said, the purpose of this is
7 engagement. So, anything that you may have to comment on,
8 IGCC related only, without straying off into other areas,
9 that would be great. So, I'd like to bring up Christiane
10 Graham. When you come up, stand up here, state your name,
11 have a seat, or you can stand. Please speak loudly, and
12 speak into the speaker, if you're able.

13 MS. GRAHAM: You want me to stand up?

14 MR. NAUMAN: Stand or sit, it's up to you.

15 MS. GRAHAM: My name is Christiane Graham at 4112
16 Decatur Avenue, Kensington, Maryland 20895. My general
17 purpose for coming to this particular public work session is
18 that I'm very concerned about co2 output and climate change.
19 Although I am a generalist, and I cannot speak to the
20 specifics of IGCC, it was very difficult to get the
21 document. I would like to talk about it in general.

22 I am a resident of Kensington and a member of the
23 Save Kensington group, and we support the adoption of IGCC
24 and all of its comprehensiveness. I want to express my
25 appreciation for this public work session by DPS, the

1 Maryland legislature, and Governor O'Malley, for signing
2 legislation that keeps Maryland solidly on the green path.
3 Published studies show that green buildings cost less to
4 operate, command higher resell prices, and demonstrated
5 history of leasing up faster, and retaining tenants than
6 non-green buildings.

7 Our neighborhood is slated for redevelopment as
8 projected by the Kensington Sector Plan, passed in March
9 2012. I want to draw your attention to four areas. First,
10 the co2 output predictions for our developed neighborhood,
11 second, is the impact on Rock Creek watershed, third,
12 transportation issues, fourth, heat island effect
13 mitigation.

14 Under the current Kensington Sector Plan, co2 is
15 projected to triple by 2030. This is unacceptable, and
16 reprehensive, pitifully low standard for the county. Co2
17 reduction is critical for the entire planet, not just
18 Montgomery County. In the years of living dangerously,
19 currently aired on Showtime, demonstrates the dire
20 consequences of playing possum. Several chapters of the
21 IGCC address co2 mitigation. Stormwater treatment and
22 intelligent site development will be crucial to new
23 development in Kensington, and everywhere in the county.
24 Increased runoff from violent storms into Rock Creek is a
25 liability and our responsibility. Likewise, for all streams

1 in the Chesapeake watershed.

2 IGCC has practical and productive rules around
3 stormwater mitigation. The marc train in Kensington is a
4 commuter rail. We do not have Metro, which is very
5 different from our neighbors in Silver Spring and Bethesda.
6 People traveling in and through Kensington use cars. We
7 want increase in safe bicycle paths, buses and walk areas.
8 But using traffic lights in Kensington will save 25 percent
9 of co2 from idling engines and the increased co2 output when
10 engines are accelerating after each light. We have about
11 eight lights in the very close vicinity, in downtown
12 Kensington, that that's unacceptable.

13 We must better funnel traffic from cross streets
14 and create foot traffic bridges to mitigate co2. Residents
15 of west and east of Connecticut Avenue shall be friends, and
16 not strangers due to massive rush hour and daytime traffic
17 that divides us. Heat island effect mitigation with green
18 roofs, tree plantings, green walks, is mandated by IGCC.
19 Active solar electricity generation in free standing
20 buildings of 75 feet, 65 feet and 45 feet height are
21 practical here, since there is no shade from trees.
22 Increase natural light, state of the art insulation, user-
23 friendly fenestration in building construction creates
24 better consumer satisfaction and reduces electricity
25 demands.

1 Modern metering technology is essential, as
2 addressed in Chapter 6 of IGCC. Moving our country forward
3 in green development is a lucrative opportunity for
4 architects, developers, and manufacturers. If Germany, my
5 home country, a cold, rainy, northern European country, can
6 generate 74 percent of their one day's energy need by solar,
7 we can do the same or better. We cannot afford to continue
8 business as usual. We cannot say it is too big a problem,
9 it's the Chinese are at fault, it will happen later, it is
10 too expensive; these are all excuses and evasions. Climate
11 change is with us now. We can and must do better in
12 Montgomery County. I ask you to embrace and to approve the
13 comprehensive IGCC. Thank you.

14 MR. NAUMAN: Wonderful. Ms. Graham, may I ask a
15 couple of questions?

16 MS. GRAHAM: Yes.

17 MR. NAUMAN: You say you represent or you're with
18 Save Kensington?

19 MS. GRAHAM: Uh-huh.

20 MR. NAUMAN: Your comments, are they personal
21 comments or are they representative of the Save Kensington
22 Group?

23 MS. GRAHAM: Both.

24 MR. NAUMAN: Both. May I ask what makes the
25 group, how many people are in your group or association?

1 MS. GRAHAM: We are, it's a little difficult to
2 tell, to be honest, because I've recently joined, and I
3 don't know the direct answer to that. But, it is, the
4 meetings are attended by about 10 people.

5 MR. NAUMAN: Okay.

6 MS. GRAHAM: Representing various people in
7 Kensington.

8 MR. NAUMAN: How often do you have meetings?

9 MS. GRAHAM: Once a month.

10 MR. NAUMAN: Very good. Can I give you my card?

11 (Discussion off the record.)

12 MR. NAUMAN: Thank you very kindly. Okay. Number
13 two has declined to speak, so we'll move on to number three,
14 Mr. Stephen Kirk. Mr. Stephen Kirk, come on down. Okay.
15 Frank Bennett?

16 MR. BENNETT: Is there a microphone, or can I
17 speak from here?

18 MR. NAUMAN: I'd prefer it if you'd come up here.

19 MR. BENNETT: Good afternoon. Thank you for this
20 opportunity to speak. My name is Ralph Bennett, I live at
21 115 Southwood Avenue in Silver Spring, and my office is at
22 1400 Spring Street in Silver Spring. I'm with Bennett,
23 Frank, McCarthy Architects, but I'm here speaking on behalf
24 of the American Institute of Architects, Potomac Valley
25 Chapter.

1 As many of you know, the Chapter has been working
2 with Permitting Services since the beginning of last summer,
3 commenting on the International Green Construction Code, and
4 its issues related to its adoption. The AIA, itself, is
5 deeply committed to sustainability. I associate myself with
6 the remarks of the previous speaker in concern about
7 greenhouse gases and the importance of getting them under
8 control soon.

9 The AIA has a AIA 2030 program, which commits
10 subscribing firms to be designing net zero buildings in
11 total by 2030. That, of course, depends on our clients
12 abilities to do that. But, it's a statement of optimism
13 about the possibilities. Chapter 6 of the IGCC is the
14 critical chapter, obviously, it deals with the energy that
15 is consumed by buildings. It has a number of issues. We
16 had submitted nine pages in comments last summer, which I
17 will not bore you with the recapitulation of. I'll do it by
18 category.

19 Probably the most significant is that the basic
20 metric for energy consumption is something called the Zero
21 Energy Performance Index, which is invented by this code.
22 It's an interesting index. It goes from zero to 100, with
23 zero being net zero. The issue for us with the use of this
24 index is that the baseline is energy data from the year
25 2000. So, if we were to commit to 50 on the ZEPI, it would

1 be a 50 percent reduction relative to energy consumption in
2 2000. The figures from 2000 are not universally available,
3 and make it difficult to do that. So, were this index to be
4 adopted, it would require some adjustment in order to really
5 measure our performance, which we agree entirely is an
6 important thing to do.

7 Many of our recommendations have to do with
8 sticking with the recommendations of the International
9 Energy Conservation Code, which was adopted by the County
10 last year, and whose requirements are requested or required
11 to be exceeded by 10 percent, that requirement we're
12 suggesting to be placed in Appendix A, which constitutes a
13 menu of measures which can be adopted electively. Simply
14 because we think that our clients and builders in the
15 counties are having difficulty reaching the standards of the
16 International Energy Conservation Code, and the curve should
17 not be any steeper than it is in getting our building stock
18 to those levels of performance.

19 We also have issues about thresholds. There are a
20 number of thresholds below which buildings do not have to
21 comply, but even buildings above the 25,000 square foot,
22 which seems to be the general threshold, it is very
23 expensive for buildings even that size. For example, in
24 controls, automated controls are required, for example, on
25 all the separate electrical components of energy use in

1 buildings, and doing that on buildings even larger than
2 25,000 square feet is very difficult if there is not an
3 automated energy monitoring system initially required, which
4 is not required. So, many of these requirements in the code
5 require systems that are building-wide, which are not widely
6 adopted yet, and which we think may constitute a difficulty
7 for our clients to achieve.

8 And, by the way, this difficulty of achievement
9 has to do with a broader issue of competitiveness in this
10 market with the County. I would urge those considering
11 adoption of this code to look at the District of Columbia's
12 method of adoption of this code, which is considerably
13 different than what we have detected so far here. The
14 modest two pages of suggested changes that were made
15 available today, do not come close to the depth of change
16 which we are recommending for this code, at the level of
17 change which was incorporated in the adopted IGCC in the
18 District of Columbia.

19 It's a complicated question, but in D.C., we will
20 be competing as a jurisdiction with D.C. and, of course,
21 with Virginia, which has never heard of the IGCC, I can
22 assure you, because I've spoken to architects there who give
23 me a very puzzled look when I ask what the possibility is of
24 adopting such a code. So, economic competitive based on
25 costs engendered by this code, are an issue for us, I think.

1 We also, I mentioned that we're proposing making
2 many of these requirements elective by moving them to
3 Appendix A. The other cost related to this, of course, are
4 the costs of enforcement. This is a very complicated code.
5 It also has a built-in alternative compliance path in ASHRAE
6 189.1, which the AIA also made a series of recommendations
7 on last Fall, for alteration. We tend to favor that code,
8 because there's a good deal more mandatory requirements, and
9 the modeling requirements for energy are much more
10 achievable than are the models which are proposed by the
11 IGCC, which again, I won't bore you with. So, the cost of
12 regulation, together with the cost of construction, together
13 with the metrics, give us concerns. We have submitted our
14 nine pages, and we will submit comments again based on the
15 two pages which came out today. Thank you for your
16 patience.

17 MR. NAUMAN: Thank you, Ralph. Okay. That's the
18 end of the people that we have scheduled to speak. I see a
19 lot of people here that I know, people that I recognize,
20 that I know have a lot to say, if anybody else wants to come
21 up and talk, that would be great. If not, please, come on
22 up. If you would, please, speak your name.

23 MR. LOHMEYER: My name is Rick Lohmeyer, L-O-H-M-
24 E-Y-E-R. And, I'm a resident at Kensington. I just want to
25 acknowledge people in my church climate action team, we're

1 looking to respond to IGCC, and so we had to buy a copy of
2 the document for \$135 or whatever it is, and that's
3 prohibitive for many people. So, I want to acknowledge and
4 appreciate the efforts you're making to get the code
5 available for people to review. I think having them review
6 it at your office is a reasonable compromise, and I think
7 that's appropriate in the circumstance. So, thank you very
8 much.

9 MR. NAUMAN: Very good. Thank you. Appreciate
10 it.

11 MR. BENNETT: Mark?

12 MR. NAUMAN: Yes?

13 MR. BENNETT: Could I say that our office has a
14 copy of the code. We love it dearly, and will be happy to
15 share it with others. We're at 1400 Spring Street, Suite
16 320. If people would like to -- my card has the telephone
17 number, give us a call. They can come look at it in Silver
18 Spring.

19 MR. NAUMAN: Okay. We'll make sure that
20 information is posted on our website.

21 MR. BENNETT: Thanks.

22 MR. NAUMAN: Okay. You may have people knocking
23 on your door day and night.

24 MR. BENNETT: Fine.

25 MR. NAUMAN: Okay. Yes?

1 MS. EMMET: Mark, I'm Eileen Emmet, I was on the
2 AIA Potomac Valley improvement. We do have a link to a free
3 version of the codes, and I'll pull that out of my inbox and
4 share it with you.

5 MR. NAUMAN: Okay. If you could either -- Eileen,
6 if you could either send it to Reggie or myself, Reggie
7 would be the best, that way he can just directly attach it
8 to our website. Great, thank you. That's wonderful.

9 (Discussion off the record.)

10 MR. NAUMAN: Yes?

11 MR. LOHMEYER: Do you put testimony that's
12 occurred in hearing one, hearing two, online?

13 MR. NAUMAN: Yes.

14 (Discussion off the record.)

15 MR. NAUMAN: If I may, like I started off with, I
16 am compiling all of that, trying to summarize it, and come
17 up with a useable metric that is not going to be, you know,
18 100 pages long. So, that's not going to be immediately
19 available. Hopefully, early to mid-summer, I will have that
20 completed and up and available for everybody to peruse and
21 comment on. Okay, anybody else? Come on up, Karen.

22 MS. ANDERSON: I just have a question. Can I ask
23 it from here?

24 MR. NAUMAN: Well, if it's a quick question. Are
25 you able to hear her?

1 MS. ANDERSON: Karen Anderson, Montgomery County
2 Schools. I'm in the Division of Construction, and I read in
3 the code that the energy modeler, this is in the IGCC, not
4 in 189, needs to be certified by an approved accrediting
5 entity. I don't know which entities accredit that are to
6 modelers, and I don't know who would approve them anyway.
7 So, I'm just seeking clarification on that.

8 MR. NAUMAN: That would be up to the jurisdiction
9 having authority to decide who we would accept. And, that
10 is yet to be determined. In the past, it's been a licensed,
11 state licensed entity, for similar things as dealing with
12 the energy code, and it may follow along those same lines,
13 as opposed to like a HERS Rater. We still have some
14 questions regarding --

15 MS. ANDERSON: Yeah. We work close with firms
16 that solely do energy modeling.

17 MR. NAUMAN: Right.

18 MS. ANDERSON: And then we work with engineering
19 firms that use trained trades or one or the other standard
20 engineering models, and we would just need to know if one of
21 those is not for the --

22 MR. NAUMAN: Well, like I said, typically, it
23 would be a state licensed entity, like an engineering firm,
24 a private engineer, something like that. Typically, that's
25 what we would be looking at, but that has not yet been

1 finalized.

2 MS. ANDERSON: Okay, and I would just caution that
3 some of these energy modeling firms are actually really
4 good. And you want to make sure actually to have engineers
5 on board, but you want to make sure that they qualify, and
6 that that's what they do all the time and they're good at
7 it.

8 MR. NAUMAN: Well currently, as you know, the
9 Department of Energy approves the use of certain energy
10 modeling, and it those, I think, would work very well, shake
11 hands very well with the IGCC, since the IGCC is deferring
12 back to things like 90.1, and the energy code. I think
13 those types of programs would work very well.

14 MS. ANDERSON: Yeah they are trained and have
15 certification.

16 MR. NAUMAN: Correct. And, to comment on Mr.
17 Bennett's statement about the ZEPI's, Z-E-P-I, that's not
18 really created by this code. ZEPI has been developed a
19 while back. And, there are metrics that this can be
20 measured by. There are some programs that are available.
21 But, we are talking about that in-house as well. And, but
22 if you take a look at the baseline modeling for, let's say,
23 ASHRAE 90.1, it is using a baseline standard basically from
24 2003. So, it's not that difficult to be able to come up
25 with modeling numbers for, you know, a baseline building,

1 and then what your proposed design is, and do a comparison.
2 But, like I said, there are programs available specifically
3 for this purpose.

4 And, you know, once again, things like this help
5 to develop innovation and create, you know, new
6 technologies, new methods and materials to be able to deal
7 with what our goals are here. And, so I'm sure as we move
8 forward, things like, you know, the inclusion of ZEPI into
9 the code, will not be quite so painful. Especially since
10 monitoring, building monitoring, you know, performance of
11 all energy, and water being used by the building is now
12 being mandated by the code, plus the 2015 IECC is coming
13 out. And, as you know, that's based upon ASHRAE 90.1 as its
14 baseline. And, it's already been determined that the
15 current, the new iteration of 90.1 is between 7 and 9
16 percent more stringent than the previous version. So, that
17 10 percent, we may be dealing with that anyway, with or
18 without the IGCC. So, that's something to keep in mind as,
19 you know, we mull this over.

20 MR. BENNETT: To the extent this technology is
21 still being invented, we suggest gradualism in the adoption,
22 and the use of some other codes as alternatives, like LEED,
23 in the beginning stages of the adoption of this code.

24 MR. NAUMAN: Understood. All right. If there's
25 no other comments. Hadi, do you have anything you'd like to

1 say?

2 MR. MANSOURI: No, I don't have anything else,
3 other than asking if there's anything else that you guys
4 want to share with us.

5 MR. NAUMAN: All right, well, then we'll adjourn,
6 and we'll be back here again next week for Chapter 7, which
7 is we're going to be getting our feet wet, let's put it that
8 way. Thank you.

9 (Whereupon, at 2:33 p.m., the meeting was
10 adjourned.)

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✓ Digitally signed by Keena Lukacinsky

ELECTRONIC CERTIFICATE

DEPOSITION SERVICES, INC., hereby certifies that the foregoing pages represent an accurate transcript of the electronic sound recording of the proceedings before the Montgomery County Department of Permitting Services, in the matter of:

IGCC PUBLIC WORK SESSION



Keena Lukacinsky

June 14, 2014